

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1) DANIEL HANCHETT, as Personal representative of the Estate of Shannon Hanchett, Deceased,

Plaintiff,

VS.

CASE NO.: 24-CV-87-G

(1) SHERIFF OF CLEVELAND COUNTY,
IN HIS OFFICIAL CAPACITY,

(2) TURN KEY HEALTH CLINICS, LLC,

(3) JAWAUN LEWIS

(4) DIANA MYLES-HENDERSON, LPC,

(5) TARA DOTO, LPN,

(6) NATASHA KARIUKI, LPN,

(7) JEWEL JOHNSON, LPN,

Defendants.

**PLAINTIFF'S *UNOPPOSED* MOTION TO EXTEND THE
DEADLINE TO FILE HIS RESPONSES IN OPPOSITION TO
DEFENDANTS' MOTIONS TO DISMISS**

COMES NOW, the Plaintiff, Daniel Hanchett, as Personal Representative of the Estate of Shannon Hanchett, deceased, and respectfully moves this Court enter an Order extending the deadline for Plaintiff to file his Responses in Opposition to Defendants Sheriff of Cleveland County's, Diana Myles-Henderson's, Turn Key Health Clinics, LLC's, and Natasha Kariuki's Motions to Dismiss by seven (7) days, or until October 22, 2024. In support of this Motion, Plaintiff shows the Court the following:

1. On September 29, 2024, Plaintiff filed his Amended Complaint. *See* Dkt. #57.

2. On September 23, 2024, Defendants Sheriff of Cleveland County, Diana Myles-Henderson, Turn Key Health Clinics, LLC, and Natasha Kariuki filed Motions to Dismiss. *See* Dkt. ## 61, 62, 63, 64.¹

3. The current deadline for Plaintiff to file his Responses in Opposition to Defendants' Motions is October 15, 2024.

4. Plaintiff's counsel has been diligently working on the Responses in Opposition to Defendants' Motions, but due to competing deadlines and scheduling conflicts, additional time is needed to fully and adequately respond.

5. For example, on September 23, 2024, the undersigned traveled to Denver, CO and conducted an oral argument before the Tenth Circuit Court of Appeals the following day, September 24

6. On September 27, 2024, the undersigned filed a response to a post-trial appeal in the Tenth Circuit in *Bond v. Sheriff of Ottawa County*, Case No. 24-5035.

7. On October 1, 2024, Plaintiff's counsel filed Responses to two Motions in limine filed in another civil rights case, *Delaney v. City of Tulsa, Oklahoma, et al.*, Case No. 4:21-cv-544-JFH-SH (N.D. Okla.).

¹ Hereinafter, Defendants Sheriff of Cleveland County's, Diana Myles-Henderson's, Turn Key Health Clinics, LLC's, and Natasha Kariuki's Motions to Dismiss will collectively be referred to as "Defendants' Motions."

8. On October 11, 2024 Plaintiff's counsel filed responses to two motions for summary judgment in another civil rights case, *White v. Bowling, et al.*, Case No. 22-CV-139-CVE-SH.

9. These other matters have taken time away from the drafting and completion of the response to Defendant's Motion in *this* case.

10. There have been no previous requests to extend this deadline.

11. The relief requested herein is made in good faith and not for the purposes of delay.

12. Plaintiff is authorized to report that the Defendants do not object to this Motion or the relief sought herein.

13. A scheduling order may be modified "for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). District Courts are the masters of their own calendars, and thus enjoy "broad discretion" in reviewing motions for continuance and determining deadlines for pretrial and trial activities. *Morris v. Slappy*, 461 U.S. 1, 11 (1983); *Phillips v. Ferguson*, 182 F.3d 769, 775 (10th Cir. 1999).

14. Under the circumstances, as set forth, *supra*, Plaintiff believes, and urges the Court to find, that there is "good cause" to extend the deadline for Plaintiff to file his Responses to Defendants' Motions to Dismiss by seven (7) days, or until October 22, 2024. Should the Court grant this Motion, the new deadline would be as follows:

DEADLINE	EXTENDED FROM:	EXTENDED TO:
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Plaintiff's Response in Opposition to Defendant Sheriff of Cleveland County's Motion to Dismiss (Dkt. #61)	10/15/2024	10/22/2024
Plaintiff's Response in Opposition to Defendant Kariuki's Motion to Dismiss (Dkt. #62)	10/15/2024	10/22/2024
Plaintiff's Response in Opposition to Defendant Myles-Henderson's Motion to Dismiss (Dkt. #63)	10/15/2024	10/22/2024
Plaintiff's Response in Opposition to Defendant Turn Key's Motion to Dismiss (Dkt. #64)	10/15/2024	10/22/2024

WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully requests the Court enter an Order extending the deadline to file her Response in Opposition to Defendants Sheriff of Cleveland County's, Diana Myles-Henderson's, Turn Key Health Clinics, LLC's, and Natasha Kariuki's Motions to Dismiss by seven (7) days, or until October 22, 2024.

Respectfully submitted,

SMOLEN & ROYTMAN

/s/ Robert M. Blakemore

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CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2024, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants who have appeared in this case.

/s/ Robert M. Blakemore